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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/718,742 | 11/21/2003 | Todd Lewis | 4676P046 | 1771 |
| 8791 | 7590 | 12/06/2005 | EXAMINER | |
| BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030 | | | CHANG, YEAN HSI | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2835 | |

DATE MAILED: 12/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

APC

| | | | |
|------------------------------|-----------------------------------|-------------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/718,742 | LEWIS ET AL. | |
| | Examiner Yean-Hsi Chang | Art Unit 2835 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 November 2003.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-26 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-26 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 21 November 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3/10/05</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by England (US 6,483,445 B1).

England teaches a data processing apparatus (10, fig. 1) comprising: a body (32) having a surface (not labeled) defining a first plane (not labeled), the body comprising a first group of control elements (22) and a second group of control elements (24) for entering data and performing control operations, a display (20) having a display area (30) defining a second plane (not labeled), the display coupled to the data processing apparatus at a pivot point (on a lower edge of 30, fig. 6; or fig. 8C) and rotatable around the pivot point from a first position (fig. 1) to a second position (for example, fig. 6), wherein the display is viewable in both the first position and the second position (as shown in the figures) and wherein both the first and second groups of control elements are exposed when the display is in the second position (for example, fig. 6), and

wherein only the second group of control elements are exposed when the display is in the first position (fig. 1), wherein the first plane and the second plane are substantially parallel when the display is in the first position (fig. 1), and wherein the first plane and the second plane are not parallel when the display is in the second position (for example, fig. 6) (claim 1); wherein an angle between the first plane and the second plane is adjustable over a specified range when the display is in the second position (see fig. 6, and col. 2, lines 54-57) (claim 2); wherein the first group of control elements are covered by the display and the second group of control elements are not covered by the display when the display is in the first position (shown in fig. 1) (claims 3 and 5); wherein the first group of control elements comprise a keyboard (shown in fig. 6) (claim 4); wherein the second group of control elements comprise a control knob and a set of control buttons (shown in fig. 6, and col. 2, lines 15-19; one of the control elements may be a knob) (claim 6); wherein the display is substantially inverted when in the second position relative to the first position (compare figs. 8A and 8C) (claim 7); further comprising a switch (not shown) configured to trigger when the display is rotated from the second position to the first position and image inversion logic to invert images on the display responsive to the switch triggering (see col. 3, lines 18-21) (claims 8 and 9); and wherein a first operational mode and a second operational mode associated with the first position and second position, respectively; and wherein the first and/or second plurality of control elements perform a first plurality of defined functions when the data processing apparatus is in the first operational mode and perform a second plurality of

defined function when the data processing apparatus is in the second operational mode (see col. 3, lines 22-28) (claims 10 and 11).

3. Claims 12-26 are rejected under 35 U.S.C. 102(e) as being anticipated by England.

England teaches a data processing apparatus (fig. Figs. 8) comprising: a display (20) defining a first plane (not labeled) and having a viewable area (30) for displaying text and graphics, a body (32) defining a second plane (not labeled) and having a first group of control elements (22) and a second group of control elements (24) for entering data and performing control operations, and a display motion mechanism (60) moveably coupling the display to the body (shown in figs. 8) and carrying the display from a first position (dotted lines in fig. 8A) to a second position (fig. 8B or 8C), wherein the display is viewable in both the first position and the second position and wherein both the first and second groups of control elements are exposed when the display is in the second position (fig. 8C), and wherein only the second group of control elements are exposed when the display is in the first position (fig. 1), wherein the first plane and the second plane are substantially parallel when the display is in the first position (see fig. 8A), and wherein the first plane and the second plane are not parallel when the display is in the second position (shown in 8B) (claims 12 and 26); wherein the display motion mechanism comprises a rotation element (60) providing rotation of the display within a first dimension (for example, fig. 8A) relative to the body, and a pin (62) rotatably coupled to the rotation element, the pin providing rotation of the display within a second

dimension (fig. 8B) relative to the body (claim 13); a chamber (shown in 8B, not labeled) for rotatably coupling the pin to the rotation element, wherein the pin is fixedly coupled to the display (claim 14); wherein the display motion mechanism comprises one or more tracks (46) formed on the of the data processing apparatus, and one or more pins (shown in fig. 6, not labeled) formed on the display and engaging with the tracks to guide the display from the first position to the second position (claim 15); wherein, when in the second position, the display motion mechanism carries the display over a range defined by a first angle (shown in fig. 8A) between the first plane and the second plane and a second angle (shown in fig. 8B) between the first plane and the second plane (claim 16); wherein the first group of control elements are covered by the display when the display is in the first position (fig. 1), wherein the first group of control elements comprise a keyboard (shown in fig. 8C) (claims 17-18); wherein the second group of control elements are not covered by the display when the display is in the first position (shown in fig. 1), wherein the second group of control elements comprise a control knob and a set of control buttons (any one of control elements 22 may be a control knob) (claims 19-20); wherein the display is substantially inverted when in the second position relative to the first position (comparing with figs. 1 and 8C), a switch (see col. 3, lines 13-21) configured to trigger when the display is rotated from the second position to the first position, image inversion logic (inherent feature) to invert images on the display responsive to the switch triggering (claims 21-23); a first operational mode and a second operational mode associated with the first position and second position, respectively, and wherein the first and/or second plurality of control elements perform a

first plurality of defined functions when the data processing apparatus is in the first operational mode and perform a second plurality of defined function when the data processing apparatus is in the second operational mode (see col. 3, lines 22-28) (claims 24-25).

Correspondence

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30 - 16:00, Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang
Primary Examiner
Art Unit: 2835
December 4, 2005



YEAN-HSI CHANG
PRIMARY EXAMINER